

Wilmington City Council met in regular session on Thursday, February 7th, 2019, at 7:30 p.m. with President Mark McKay presiding.

CALL TO ORDER

President of Council called the meeting to order at 7:30 p.m.

ROLL CALL

Roll Call: J. McKay, present; Snarr, present; Fickert, present; Purkey, present; Liermann, present; Swindler, present; Williams, present.

Sgt. Martin was present as Sergeant at Arms.

President McKay noted the passing of Paul Hunter.

Council participated in the Pledge of Allegiance and moment of silence.

PRESIDENT OF COUNCIL

President McKay noted the executive session is no longer needed and can be removed from the agenda. Clerk Miller noted the typo in the date for the minutes presented for approval.

Motion by K. Swindler and seconded by J. McKay to approve the agenda as amended.
Motion passed.
Agenda approved as amended.

President M. McKay asked if there were any changes to the minutes.

Motion by J. McKay and seconded by K. Fickert to approve January 17th minutes as presented.
Motion passed.
Minutes approved as presented.

President M. McKay presented a Notice to Legislative Authority from Family Dollar for a new license. He noted it would be on file in the Mayor's office.

MAYOR

Mayor Stanforth also noted the passing of Paul Hunter. Stanforth stated the Castle Park II build date had been set, and Fiesta Vera Cruz would be fundraising all day on February 13th. Stanforth stated he participated in the Four Chaplin's service at the Calvary Baptist Church. Stanforth noted the 2019 Heath insurance renewal came in at .3% and a lot of thanks to City Employees helping keep the costs down. Stanforth congratulated Mary Kay Vance and Jeanne Pope for their cost saving efforts as they saved the City over \$250k on Workers Compensation.

Stanforth introduced Sherry Weller Director of the New Life Clinic who gave a brief update on her organization, and thanked the City for the loan they received in 2015 and paid back in 2016.

AUDITOR

Auditor Hollingsworth was absent.

SERVICE AND SAFETY DIRECTOR

Director Shidaker stated the engineering for Rombach Avenue begins next week, and stated there will be workers out surveying and installing equipment, such as traffic counters. Shidaker stated in the next three months they will be gathering information and he will also be reporting back to Council about the financial information as he receives

it. Shidaker also stated they will be looking at East Side Drive in the safety study as well. B. Shidaker gave a brief update on the dispute with ODNR and Army Corps of Engineers inappropriate charges for Caesar's Creek, stating a letter was sent in November and he has not been contacted.

Law Director Rudduck noted he needed to excuse himself, and he mentioned he will have Service Director Brian Shidaker step in as acting Law Director at 7:58pm.

COMMITTEE REPORTS AND ACTION

City Revitalization Committee – Chairperson T. Williams had no report.

City Services Committee – Chairperson Liermann four pieces of legislation and introduced R-19-06, legislation for the Lytle Creek Greenway Phase 1 Project. K. Swindler inquired about the location, Clerk M. Miller stated it was behind Peterson Place.

Motion by B. Liermann and seconded by M. Purkey to give the first reading by title only on Resolution No. R-19-06 Authorizing the Parks and Recreation superintendent to enter into competitively bid agreements relate to the construction of trails and site improvement for the Lytle Creek Greenway Phase 1 Project; authorizing expenditures of funds for same; and declaring an emergency

6 yeas. 1 abstain (K. Swindler)

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by M. Purkey to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 6 yeas. 1 abstain. (K. Swindler)

Motion Passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by M. Purkey to pass the Resolution as read.

Roll Call; 6 yeas. 1 abstain. (K. Swindler)

Motion passes.

President of Council declared Resolution No. R-19-06 passed as read.

B. Liermann introduced R-19-07, accepting a grant from Walmart for the Police Department.

Motion by B. Liermann and seconded by J. McKay to give the first reading by title only on Resolution No. R-19-07 Authorizing acceptance of grant funds from Walmart for the Wilmington Police Department.

All yeas.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by J. McKay to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-19-07 passed as read.

B. Liermann introduced R-19-08, accepting a grant from Walmart for the Fire Department.

Motion by B. Liermann and seconded by K. Fickert to give the first reading by title only on Resolution No. R-19-08 Authorizing acceptance of grant funds from Walmart for the Wilmington Fire Department.

All yeas.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by K. Fickert to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-19-08 passed as read.

B. Liermann introduced R-19-09, authorizing the sale of surplus equipment through GovDeals.

Motion by B. Liermann and seconded by M. Purkey to give the first reading by title only on Resolution No. R-19-09 Expressing intent to sell city surplus items to the public through an on-line auction service and declaring an emergency.

All yeas.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by M. Purkey to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by B. Liermann and seconded by M. Purkey to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-19-09 passed as read.

Finance Committee – Chairperson K. Fickert had three pieces of legislation.

K. Fickert introduced O-19-03, making supplemental appropriations from the “Fire/EMS Fund” to “Taxes” the sum of \$52.00. From the “Water Fund” to “Taxes” the sum of \$655.00, from the “Waste Fund” to “Taxes” the sum of \$504.00, from the “General Fund” to “Workers Comp” the sum of \$3,500.00, from the “Fire Fund” to “Equip Maintenance” the sum of \$1,000.00, from the “Emergency Ambulance Fund” to “Medical Supplies” the sum of \$7,445.00, from the “Police Fund” to “Equipment Parts and Supplies” the sum of \$1,000.00 and from the “Retained Hotel Lodging Tax Fund” to “CRC Grant Program Expenses” the sum of \$75,000.00.

Motion by K. Fickert and seconded by K. Swindler to give the first reading by title only on Ordinance No. O-19-03 Making supplemental appropriations.

All yeas.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by K. Swindler to suspend the rules and regulations and give the second and third readings on the Ordinance.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by K. Swindler to pass the Ordinance as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Ordinance No. O-19-03 passed as read.

K. Fickert introduced R-19-03, authorizing the request for advance payment to the County for the 2019 fiscal year.

Motion by K. Fickert and seconded by K. Swindler to give the first reading by title only on Resolution No. R-19-03 Authorizing request for advance payment of settlement from County.

All yeas.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by K. Swindler to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by K. Swindler to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-19-03 passed as read.

K. Fickert introduced R-19-05 concerning subordinating the City's mortgage position for the Revolving Loan Fund for Bisig Automotive LLC so they are able to refinance.

Motion by K. Fickert and seconded by J. McKay to give the first reading by title only on Resolution No. R-19-05 Authorizing the Mayor to enter into any and all agreements necessary to subordinate the City of Wilmington's mortgage position as related to a Revolving Loan Fund (UDAG) to James Bisig and Bisig Automotive LLC; and declaring an emergency.

All yeas.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by J. McKay to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by K. Fickert and seconded by J. McKay to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-19-05 passed as read.

Judiciary Committee – Chairperson M. Purkey presented the Charter draft legislation, stating it needs to be edited. M. Purkey said he was expecting a finished piece of legislation from the Law Director, not a draft, but would follow up with him. In regards to the legislation, M. Purkey stated he would like to remove Section 2, since they are only interested in getting the RFP's, not yet ready to gather bids. M. Purkey asked that after Section 2 is removed that the Resolution be on the next agenda for a first reading.

M. Purkey asked if there were any questions. T. Williams asked if it would be beneficial to not be too specific on the scope of work so those providing the bids would bring their own experience. M. Purkey stated the information they would like to gather would be more "apples to apples" type comparisons to go forward.

J. McKay wanted to make sure Council clarified nothing has been written yet in regards to a Charter government, due to rumors circulating stating the opposite. M. Purkey stated they are currently on exploring to see if it would be a feasible concept or benefit. M. Purkey stated he understands that people may have concerns, but he also noted that 88% of the cities in Ohio are charters. M. Purkey stated that finding a consultant would be a good way to start seeing what's best in regards to our needs. K. Swindler stated it is their

duty to continue to correct misinformation and clarified that a Charter simply means that you write and establish a Charters as a City in addition to the ORC. K. Swindler also stated she has spoken with a community member who was excited at the prospect of a Charter government and was passionate about removing the partisanship from City elections. K. Swindler stated that would be something that would have to be written into a Charter, if that is the direction they decide to move towards. M. Miller stated gathering these RFP's will also help guide them on the timeline and the timing of planning to move forward. K. Swindler stated that this would ultimately be a ballot issue, and Council cannot simply vote it into being. M. Purkey stated that Council is just currently at the concept stages, and seeing if it will be a viable option.

M. Purkey stated he had a citizen bring up an issue regarding stray cats. The citizen's neighbor has an excess of cats coming and going from their garage, and the citizen's concern was a flea infestation at his home due to these cats. K. Swindler stated she thought this should be a discussion that should be a more formal conversation and more public input should be allowed. M. Purkey stated this has been an ongoing issue, and more research and investigation needs to be done on a solution. M. Purkey asked if Council would like to move forward discussing solutions. T. Williams stated this is a large scale concern and also is a public health risk. J. McKay stated he had contacted the Health Department and they are not able to assist he also stated he gets approached frequently about the issue. M. Purkey stated he would do some more research on the topic and thanked Council for their feedback.

Solid Waste/Recycling Committee- Chairperson J. McKay had no report.

Wastewater/Sewer Committee - Chairperson M. Snarr had no report.

Water Committee – Chairperson K. Swindler had one piece of legislation and introduced R-19-04 regarding the Water Treatment Improvement Project. K. Swindler stated they will have 0% interest on a 5 year loan for the project and stated it may be rolled into a future loan for construction. K. Swindler also noted there are a variety of other projects they may be able to take advantage of the 0% financing.

Motion by K. Swindler and seconded by K. Fickert to give the first reading by title only on Resolution No. R-19-04 Authorizing the Director of Public Service to apply for, accept, and enter into a cooperative agreement for design of Water Treatment Improvement Project between the City of Wilmington and the Ohio Water Development Authority and declaring an emergency.

All yeas.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by K. Fickert to suspend the rules and regulations and give the second and third readings on the Resolution.

Roll Call; 7 yeas.

Motion Passes.

The Law Director read the Resolution by title only.

Motion by K. Swindler and seconded by K. Fickert to pass the Resolution as read.

Roll Call; 7 yeas.

Motion passes.

President of Council declared Resolution No. R-19-04 passed as read.

REPORTS TO COUNCIL

A motion was made by J. McKay and seconded by B. Liermann to accept the Income Tax Report, 2018 Municipal Court Report, RHLT 4th Quarter.

Motion passed.

Reports accepted as presented.

OPEN TO PUBLIC

Mike Moore a resident on the corner Regal and Dana Avenue, was informed in August that he couldn't park his trailer on the street, so he now parks it in his front yard. Mr. Moore stated that it is ridiculous and he wants to know how to change the law. K.

Fickert stated this happened in her neighborhood and it was brought up, but nothing had been resolved. Council had a brief discussion on the parking laws and issues. Clerk M. Miller stated Michelle Horner in Code Enforcement would be a good resource and would follow up with him. President M. McKay thanked Mr. Moore for coming to council.

J. McKay thanked the Wastewater Department who have been resolving issues quickly.

ADJOURNMENT

A motion was made by B. Liermann.

President M. McKay declared meeting adjourned.

Council adjourned at 8:40 p.m.

ATTEST:

President of Council

Clerk